**Section 320.810 Definitions**

The following definitions shall apply for this Subpart H only:

"Application" means the form provided by the Department that a business must complete and submit to the Department in order to obtain an Equal Pay Registration Certificate or recertification of an Equal Pay Registration Certificate.

"Business" *means any private employer who has* 100 or more *employees in the State of Illinois and is required to file an Annual Employer Information Report EEO-1 with the Equal Employment Opportunity Commission, but does not include the State of Illinois or any political subdivision, municipal corporation, or other governmental unit or agency*. [820 ILCS 112/11]

"Compliance" means that, as of the date of application or recertification, the business either:

1) has not had any final and non-appealable adverse judgment or final and non-appealable administrative ruling entered against it in the preceding two years under Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e), the Equal Pay Act of 1963 (29 U.S.C. 206), the Illinois Human Rights Act (775 ILCS 5), the Equal Wage Act (820 ILCS 110), or the Equal Pay Act of 2003 (820 ILCS 112); or

2) has corrected any final and non-appealable adverse judgment or final and non-appealable administrative ruling entered against it under Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e), the Equal Pay Act of 1963 (29 U.S.C. 206), the Illinois Human Rights Act (775 ILCS 5), the Equal Wage Act (820 ILCS 110), or the Equal Pay Act of 2003 (820 ILCS 112).

For purposes of Section 320.840(a)(3)(A), any business that has corrected a final and non-appealable adverse judgment or final and non-appealable administrative ruling entered against it shall submit evidence of the underlying judgment or ruling and the corrective measures undertaken by the employer business.

"Employee" means any person performing a service for a business under the Act whose *base of operations, or if there is no base of operations, the place from which the service is directed or controlled, is located within the State of Illinois; or whose base of operations or the place from which the service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in the State of Illinois.* [35 ILCS 5/304(a)(2)(B)(iii)]

"Job classification" or "job category" means an employee classification that appears on the EEO-1 report of the Equal Employment Opportunity Commission as required by section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e-8(c), and 29 CFR 1602.7 through 1602.14 and 41 CFR 60-1.7(a).

"Job title" means the title or role established for an employee by their employer that is used to identify and classify the employee internally within that workplace.

"Occupation" means any one of the Standard Occupational Classifications identified and published in the Standard Occupational Classification (SOC) System – Revision for 2018 published by the U.S. Bureau of Labor Statistics.

(Source: Added at 47 Ill. Reg. 155, effective December 22, 2022)